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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 06/30/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/513,554

Applicant(s)

NDILI ET AL.

Examiner

Tammy T Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 24 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,6,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:



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Detailed Office Action

1. This action is in response to the amendment filed on May 24, 2003
2. Claims 1-13 are pending.

Response to Arguments

3. Applicant's arguments filed on March 24, 2003 have been fully considered, however they are not persuasive because of the following reasons:

4. Applicants argue that Lauer does not teach or suggest the step of retrieving network events from one or more of the sites using the configuration information. In response to Applicant's argument, the Patent Office maintain the rejection because Lauer does teaches or suggest step of retrieving a network events from one or more of the sites using the configuration information as shown in Fig.3, 303, 300, col.5, lines 5-43, col.9, lines 32-42, col.5, lines 44-55, col.9, line 65 to col.10, line 15, clearly shown that the step of retrieving network events from one or more of the sites using configuration information.

5. Applicants argue that Schwartz does not teach or suggest the engine module selecting to retrieve a web event from one or more web sites using the configuration information. In response to Applicant's argument, the Patent Office maintain the rejection because Lauer does teaches or suggest the engine module selecting to retrieve a web event from one or more web sites using the

configuration information as shown in col.2, line 50 to col.3, lines 11, col.8, lines 12-32, col.20, line 57 to col.21, line 12, and col.23, lines 28-50, clearly shown that the engine module selecting to retrieve a web event from one or more web sites using the configuration information.

6. Therefore, the Examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims 1, 9, and 12. Claims 2-8, 10, 11, and 13 are also rejected at least by the virtue of their dependency on independent claims and by other reasons set forth in the previous office action [see paper no. 8].

7. Accordingly, claims 1-13 are respectfully rejected.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

Art Unit: 2143

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 1, 4, 5, 7 and 9 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Lauer et al (USPN 6,118,936 B1 – Date of Patent: September 12, 2000, herein referred to as “Lauer”).

10. As to claim 1, Lauer teaches the invention as claimed, including a system for retrieving a network event from a plurality of sites on a network, the system comprising:

a terminal couple able to the network (Fig.3, 312A, 312B, col.4, lines 33-61);

an engine module accessible on the network to receive configuration information from the terminal (Abstract, col.3, lines 41-57),

wherein the engine module selects to retrieve a network event from one or more of the sites using the configuration information, the one or more sites operating under a first protocol, and converts the network event from the first protocol into a second protocol before signaling the network event to an end device operating under the second protocol (Fig.3, 303, 300, col.5, lines 5-43, and col.9, lines 32-42, col.5, lines 44-55, col.9, line 65 to col.10, line 15).

11. As to claim 4, Lauer teaches the invention as claimed, wherein the engine module converts the network event into the second protocol based on configuration information that specifies a type of end device (col.9, lines 33-42, and col.5, lines 9-43).

12. As to claim 5, Lauer teaches the invention as claimed, wherein the terminal includes a user-interface that allows an end user to specify configuration information (col.6, lines 14-20).

13. As to claim 7, Lauer teaches the invention as claimed, wherein the engine module converts the network event from the first protocol into the second protocol and a third protocol

before signaling the network event to the end device operating under the second protocol and a second end device operating under a third protocol (col.5, lines 9-23).

14. As to claim 9, Lauer teaches the invention as claimed, including a system for retrieving a network event from a plurality of sites on a network, the system comprising:

a terminal couple able to the network(Fig.3, 312A, 312B, col.4, lines 33-61);

an engine accessible on the network to receive configuration information from the terminal, the engine selecting to retrieve a network event from one or more of the sites using the configuration information, wherein the engine signals the network event to an end device (Abstract, col.3, lines 41-57).

15. Claims 12 and 13 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Schwartz et al (USPN 6,473,609 B1 – Date of Patent: October 29, 2002, herein referred to as “Schwartz”).

16. As to claim 12, Schwartz teaches the invention as claimed, including a system for retrieving a web event from the Internet, the system comprising:

a terminal coupled to the Internet (Fig.1, 106-1, 106-2), the terminal being able to receive configuration information entered by an end user (col.11, lines 30-39);

an end device operable under a wireless protocol (Fig. 2A, col.2, lines 30-49); and

an engine module accessible to the Internet to receive configuration information from the terminal, the engine module selecting to retrieve a web event from one or more web sites using the configuration information (col.2, line 50 to col.3, lines 11, col.8, lines 12-32, col.20, line 57 to col.21, line 12, and col.23, lines 28-50), wherein the engine module converts the web events into the wireless protocol and then signals the web event to the end device (col.17, lines 3-15,

Art Unit: 2143

and col.10, lines 26-35).

17. As to claim 13, Schwartz teaches the invention as claimed, wherein the end device is a wireless phone, and end user specifies a phone number of the wireless phone to the terminal to allow the engine module to signal the web event to the wireless phone (col.10, lines 26-35, and col.19, lines 18-44)

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action :

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 2,3,6,8 and 10,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauer et al.,(hereinafter Lauer) U.S. Patent No. 6,118,936 B1 in view of Schwartz et al., (hereinafter Schwartz Galvin) U. S. Patent No. 6,473,609 B1

20. As to claim2, Lauer does not explicitly teach converts the network event from an HTML protocol to a wireless protocol. However, Schwartz teaches converts the network event from an HTML protocol to a wireless protocol (col.8, lines 46-67). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Lauer and Schwartz to have HTML and Wireless protocol includes in a communication system because it would have an efficient system that can provide specifications for a global standard for enabling digital cellular phones and other wireless devices to access

internet and other information service.

21. As to claim 3, Lauer does not explicitly teach converts the network event from a POP3 protocol to a wireless protocol. However, Schwartz teaches converts the network event from a POP3 protocol to a wireless protocol (col.20, lines 5-31, and col.21, lines 1-12). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Lauer and Schwartz to have POP3 protocol includes in a communication system because it would convenient to receive, store, and transmit e-mail and for clients on computers that connect to the servers to download and upload e-mail.

22. As to claim 6, Lauer does not explicitly teaches the engine module converts the network event into the second protocol based on configuration information that specifies a type of end device selected from a group consisting of a cell phone, a PCS type device, a pager, and a wireless handheld computer. However, Schwartz teaches the engine module converts the network event into the second protocol based on configuration information that specifies a type of end device selected from a group consisting of a cell phone, a PCS type device, a pager, and a wireless handheld computer (col.8, lines 46-67). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Lauer and Schwartz to have converting protocol in communication network because it would convenient to enable computers to connect with one another and to exchange information with as little error as possible.

23. As to claim 10, Lauer does not explicitly teach the first site in the plurality of sites operates under a POP3 protocol, a second site operates under an HTML protocol, and the engine accesses the first site and the second site to retrieve one or more network events, converts the

Art Unit: 2143

retrieved network events to a wireless protocol for a wireless end device, and then signals the end device the retrieved network events. However, Schwartz teaches the plurality of sites operates under a POP3 protocol, a second site operates under an HTML protocol, and the engine accesses the first site and the second site to retrieve one or more network events, converts the retrieved network events to a wireless protocol for a wireless end device (col.18, lines57-67). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Lauer and Schwartz to have plurality of sites operates under POP3, HTML protocol to convert to a wireless protocol because it would have an efficient system to receive, store, and transmit e-mail and for clients on computers that connect to the servers to download and upload e-mail

24. As to claim 11, Lauer does not explicitly teach the engine retrieves a first email from the first site, and a second email from the second site, and signals a notification to the end device notifying an end user of the terminal of the first and second email. However, Schwartz teaches engine retrieves a first email from the first site, and a second email from the second site, and signals a notification to the end device notifying an end user of the terminal of the first and second email. It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Lauer and Schwartz to have engine retrieves a first and second email from first and second site because it would utilization and convenient communications system that has a processor or portion of a program that determines how the program manages and manipulates data.

25. Claim 8 have similar limitations as claim 6; therefore, they are rejected under the same rationale.

Conclusion

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chan et al	U.S. Patent No.6,473,609	Issued May, 2002
Bhagat et al	U.S. Patent No.5,414,750	Issued May, 1995
Pohlmann et al	U.S. Patent No. 6,446,136	Issued September 2002
Fletcher et al	U.S. Patent No.6,085,243	Issued July 2000
Bonnell et al	U.S. Patent No. 5,655,081	Issued August 1997

28. Any inquiries concerning this communication or earlier communications from the

Art Unit: 2143

examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(703) 305-7982**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 4:30 p.m. eastern standard time.

29. If you need to send the Examiner, a facsimile transmission regarding After Final issues, please send it to **(703) 746-7238**. If you need to send an Official facsimile transmission, please send it to **(703) 746-7239**. If you would like to send a Non-Official (draft) facsimile transmission the fax is **(703) 746-7240**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, **David Wiley**, may be reached at **(703) 308-5221**. Any response to this office action should be mailed to: **Director of Patents and Trademarks Washington, D.C. 20231**. Moreover, hand-delivered responses should be delivered to the Receptionist, located on the **fourth floor of Crystal Park 11, 2121 Crystal Drive Arlington, Virginia**.

Tammy T. Nguyen



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